

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

INTEL CORPORATION,

Opposer,

v.

JACQUELINE HALLIDAY DIAZ,

Applicant.

**NOTICE OF MOTION AND MOTION FOR
JUDGMENT PURSUANT TO TRADEMARK
RULE 2.120(G)(1)**

Opposition No.: 124,223

Serial No.: 76/135,006

Published: August 28, 2001

Opposed Mark: SURPRISE INSIDE

Class: 21

TO: JACQUELINE HALLIDAY DIAZ

PLEASE TAKE NOTICE that Opposer Intel Corporation hereby moves the Trademark Trial and Appeal Board to enter judgment in favor of Intel Corporation.

This motion will be based on this Notice of Motion and Motion, the Memorandum of Points and Authorities filed herewith and the Declaration of Bobby A. Ghajar and all evidence presented.

Date: July 8, 2004

Respectfully submitted,


Bobby A. Ghajar, Esq.

Katherine M. Basile, Esq.

HOWREY SIMON ARNOLD & WHITE, LLP

301 Ravenswood Avenue

Menlo Park, CA 94025

Attorneys for Opposer

INTEL CORPORATION



07-08-2004

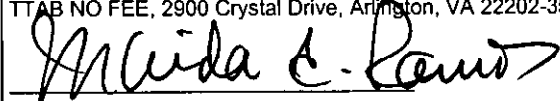
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CERTIFICATE OF EXPRESS MAIL

NUMBER: EE358074861US

DATE OF DEPOSIT: July 8, 2004

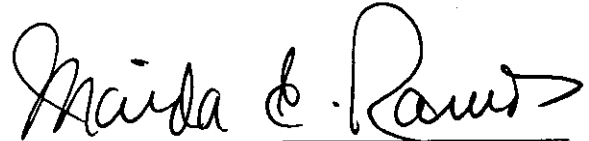
I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.



Maida E. Ramos

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing "Notice of Motion and Motion for Judgment Pursuant to Trademark Rule 2.120(g)(1)" was mailed by First Class Mail, postage prepaid to Neal O. Willmann, Esq., Phillips Law Firm, Inc., 9521 Montgomery Road, Cincinnati, OH 45242 on this 8th day of July, 2004.



Maida E. Ramos

TTAB



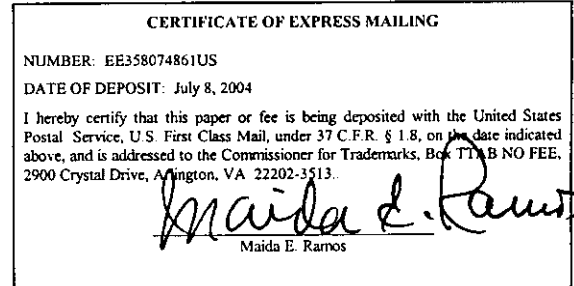
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July 8, 2004

Via Express Mail EE358074875US

Commissioner for Trademarks
Box TTAB NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513



Re: *Motion for Judgment Pursuant to Trademark Rule 2.120(g)(1)*
Mark: SURPRISE INSIDE
Serial No.: 76/135,006; Opposition No.: 124,223

Dear Madam:

Enclosed for filing are:

1. This letter (in duplicate),
2. Notice of Motion and Motion for Judgment Pursuant to Trademark Rule 2.120(g)(1);
3. Memorandum of Points and Authorities in Support of Motion for Judgment Pursuant to Trademark Rule 2.120(g)(1);
4. Declaration of Bobby A. Ghajar in Support of Motion for Judgment Pursuant to Trademark Rule 2.120(g)(1); and
5. A self-addressed stamped postcard to evidence receipt of this request.

Please return the enclosed postcard to evidence receipt of the above-referenced documents.

Very truly yours,


Bobby A. Ghajar

Enclosures

cc: Michele Huntzinger

07-08-2004

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